

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

Wayne Carter, Toni Cellucci, and *
Stacey Durgin, individually and *
on behalf of all similarly situated *
persons, *
Plaintiffs *

Dkt. # 1:07-cv-00023-SM

vs. *

New Hampshire Department of Health and *
Human Services, Commissioner, *
Defendant. *

CLASS NOTICE ORDER

This Court having read and reviewed the:

1. Joint Motion for Preliminary Approval of Proposed Class Action Settlement;
2. Proposed Final Order; and
3. Notice of Proposed Class Action Settlement

Makes the following order relative thereto:

- A. The Court preliminarily approves the proposed Settlement/Final Order.
- B. The Court orders the Defendant to:
 - 1) Post the attached Notice (Attachment - A) in a prominent public place in each Department of Health and Human Services District Office and keep this notice posted until March 18, 2008 at 1:30 pm; [date referred to in E below]; and,

- 2) Within 30 days mail a copy of the attached Notice
(Attachment - A) to all Class Members whose APTD
applications are pending with the Department on the date of
this Order.
- 3) Distribute the attached Notice (Attachment – A) to all Class
Members who apply for APTD between the date the mailing
list for the Notice described in Paragraph B(2) above is
generated and the hearing date set forth in Paragraph E
below.

- C. The Court finds that the Class Members shall be adequately notified
through the posting, distribution, and individual mailing.
- D. The final Order of Judgment shall be stayed pending a hearing on any
objection.
- E. The Court shall conduct a hearing to consider the Proposed Final Order on
March 18, 2008 at 1:30 p.m. The Defendant shall finalize the
attached Notice (Attachment-A) so that Class Members are instructed to
file any objections to the settlement on or before the day previous to the
hearing date, and so that the hearing date and time appear in the final
paragraph of that Notice.

/s/ Steven J. McAuliffe

Steven J. McAuliffe
Chief Judge

Dated: December 21, 2007